

Notice of Allowability	Application No.	Applicant(s)	
	09/752,528	KRISHNAMURTHY ET AL.	
	Examiner	Art Unit	
	Jakieda R Jackson	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to January 4, 2005.
2. ☒ The allowed claim(s) is/are 1-40.
3. ☒ The drawings filed on 01 May 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Response to Amendment

1. In response to the Office Action mailed January 4, 2005, applicant submitted an amendment filed on May 4, 2005, in which the applicant traversed and requested reconsideration with respect to **claims 1 and 21**.

Response to Arguments

2. Applicants argue that Baker does not disclose simultaneous recording or correlation between two mediums. Applicant's arguments, see remarks, filed April 4, 2005, with respect to claims 1 and 21 have been fully considered and are persuasive. The rejection of claims 1-21 has been withdrawn.

Allowable Subject Matter

3. **Claims 1-40** are allowed.

The following is a statement of reasons for allowance:

As for independent claims 1 and 21, they recite a method and system for capturing dictations for use in transcriptions. Prior art such as Baker and Oretaga show similar methods and systems but fails to teach the recited configuration wherein the recording of dictation is done on an analog medium while it is simultaneously recorded onto the digital medium in real-time, and the changes that are done on any medium is simultaneously reflected on the other medium, to ensure a concurrent back up which is extremely critical as the very purpose of dictation would be defeated in case re-dictations are required.

Dependent claims 2-20 and 22-40 are allowed because they further limit their parent claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Oretega et al. (USPN 6,535,848) discloses a method and apparatus for transcribing multiple files into a single document.
- Jenkins et al. (USPN 6,216,036) disclose an implantable cardioverter defibrillator and system for testing same.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jakieda R Jackson whose telephone number is 571.272.7619. The examiner can normally be reached on Monday through Friday from 7:30 a.m. to 5:00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571.272.7582. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2655

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JRJ
July 25, 2005



W. R. YOUNG
PRIMARY EXAMINER